

House File 2147 - Introduced

HOUSE FILE 2147

BY FREVERT

A BILL FOR

1 An Act requiring airport notification and a determination
2 regarding the existence of an airport hazard prior to
3 the construction of a wind energy system within specified
4 distances.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 329.10, Code 2009, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 4. *a.* Airport zoning regulations adopted
4 under this chapter, and zoning ordinances adopted under
5 chapters 335 and 414, shall require any person desiring to
6 construct a wind energy system to notify an airport located
7 within five miles of the proposed construction site of the
8 proposed construction prior to commencing construction, and to
9 ascertain that the proposed construction does not constitute
10 an airport hazard.

11 *b.* For the purposes of this section, "*wind energy system*"
12 means a wind energy conversion system consisting of a wind
13 turbine, a tower, and associated control or conversion
14 electronics.

15 EXPLANATION

16 This bill provides that airport zoning regulations adopted
17 under Code chapter 329, and zoning ordinances adopted under
18 Code chapters 335 and 414 by a city and a county, respectively,
19 shall require any person desiring to construct a wind energy
20 system to notify an airport located within five miles of the
21 proposed construction site of the proposed construction prior
22 to commencing construction. The bill also provides that the
23 person prior to construction shall ascertain that the proposed
24 construction does not constitute an airport hazard. Code
25 section 329.1, subsection 2, defines an airport hazard to
26 mean any structure or tree or use of land which would exceed
27 specified federal obstruction standards and which obstructs
28 the air space required for the flight of aircraft and landing
29 or take-off at an airport or is otherwise hazardous to such
30 landing or taking off of aircraft.

31 The bill defines a wind energy system to mean a wind energy
32 conversion system consisting of a wind turbine, a tower, and
33 associated control or conversion electronics.